

Before the Board of Zoning Adjustment, D. C.

Application No. 11574, of S. Greenhoot Fisher, pursuant to Section 8207.2 for a special exception to continue the operation of a parking lot as provided by Section 3104.44 of the Regulations, in the R-5-B zone at 1526-28 15th Streets, N. W., Lots 36 and 37, Square 194.

HEARING DATE: February 13, 1974

EXECUTIVE SESSION: February 21, 1974

FINDINGS OF FACT:

1. Applicant received permission to operate the subject premises as a parking lot in BZA Order No. 9221, dated August 4, 1967.

2. In BZA Application No. 9064, the Board denied the use of lot 37 of this application for use as a commercial parking lot.

3. Findings of Fact Number 4 in BZA Order No. 9221 reads as follows: "The Department of Highways and Traffic offers no objection to this appeal and states:" the establishment of this private parking lot for use of residents of the neighborhood should create no adverse traffic conditions on either 15th Street or Church Street, N. W. The proposed driveway on 15th Street, however, should be constructed no closer than 25 feet from the extended north curb line of Church Street in accordance with existing regulations.

The most recent report from the Department of Highways and Traffic offers no objection to the continued use of this property as a commercial parking lot.

4. At public hearing, the applicant testified that the parking lot was used by L.P. Stewart Motor Company as a car storage lot.

5. One citizen in opposition to the subject parking lot testified at public hearing that he had observed a wrecked auto on the subject property.

6. Condition "H" of BZA Order No. 9221, in relevant part, states that, "No other use shall be conducted from or

upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.

7. Opposition at public hearing was based upon the non-residential use of the subject property.

CONCLUSIONS OF LAW:

Based upon the above Findings of Fact, the Board is of the opinion that the applicant's request should be denied. The Board previously permitted the subject lot to be used as a parking lot primarily for the use of the residents of the neighborhood. Evidence of record indicates that the property was not used for the benefit of the neighborhood, but leased to L.P. Stewart Motor Company for the storage of automobiles.

The Board concludes that the use of the subject property as a parking lot is not in harmony with the general purpose and intent of the Zoning Regulations and Maps and will tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Maps.

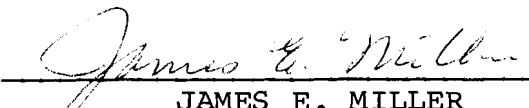
ORDERED:

That the above application be DENIED.

VOTE: 4-0, (Mr. Harps absent, not voting.)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By: \_\_\_\_\_

  
JAMES E. MILLER  
Secretary to the Board

FINAL DATE OF ORDER: **MAR 26 1974**